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September 20, 2017,

Honorable Renee Marie Bumb USDJ.
United States District Court
Mitchell H. Cohen U.S. Cthse.
1 John F. Gerry Plaza, Room
Camden, NJ 08101-0888.

RE: Pavlak v. Reality Properties 29, LLC Income
Case No. 1:17-cv-06428 (RMB)(KMW)

Dear Judge Bumb,

Pursuant to your Honors' order this letter is in response to Defendants' motion to dismiss.

First, Plaintiff agreed to draft a more specific complaint in order to not to create an appealable issue.

Second, the Plaintiff will oppose the Defendants' motion to dismiss Plaintiffs' NJLAD, because previously, Pavlak has asserted his civil rights. The parties have a difference of opinion on the concept that all men are created equal. Justice

Stevens has written:

“New Jersey prides itself on judging each individual by his or her merits and on being in the vanguard in the fight to eradicate the cancer of unlawful discrimination of all types from our society.”... In its “exercise of this high power” today, the Court does not accord this “courageous state” the respect it is due. Boy Scouts of America v. Dale, 530 U.S. 640, 663-664 (2000).

As Judge Henderson explained:

“There can be no question that the Americans With Disabilities Act, passed in 1990, established as law the nation’s interest in eradicating the bigotry and barriers faced by individuals with disabilities. 42 U.S.C. 12102 *et. seq.* (hereafter “ADA”). U.S.C. 12101(b)(1) (1999)... The ADA creates the possibility that successful plaintiffs may establish permanent changes in the design and physical configuration of structures to better accommodate the disabled...The benefits of such changes clearly redound not only to the plaintiffs themselves, but to similarly situated disabled persons, and the entire society at large. As a result, plaintiffs or plaintiff classes who bring suit pursuant to the ADA do so in the role of “private attorneys general” who seek to vindicate “a policy” of the highest priority.” *Walker v. Carnival Cruise lines* 107 F.Supp.2d 1135, 1143 (N.D. Cal. 2000).

Of note, the parties meet with Magistrate Judge Williams on September 28, 2017.

The parties are discussing meeting at the site in order to attempt to settle the matter.

I thank the Court for its kind attention and if I can be of any assistance, please do not hesitate to contact me.

Respectfully submitted,

s/Anthony J. Brady Jr.
Anthony J. Brady Jr.
AJB